This was the ruling of The United States

Supreme Court shortly after the "civil war" in Exparte Milligan, 71 U.S. 2 (1866) which yet stands to this day: "Neither the legislature nor any executive or judicial officer may disregard the provisions of the constitution in case of emergency....

"Section 98 therefore, ANYONE who declares the suspension of constitutionally guaranteed rights (to freely travel, peacefully assemble, earn a living, freely worship, etc.) and or attempts to enforce such suspension within 50 independent, sovereign, continental United States of America is making war against our constitution(s) and, therefore, we the people. They violate their constitutional oath and, thus, immediately forfeit their office and authority and their proclamations may be disregarded with impunity and that means ANYONE; even the governor and President.